

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 12874-00002-US
INTERNATIONAL APPLICATION NO. PCT/EP03/03285	INTERNATIONAL FILING DATE 28 March 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/51411</b>
TITLE OF INVENTION      FREDERICAMYCIN DERIVATIVES		PRIORITY DATE CLAIMED 17 April 2002
APPLICANT(S) FOR DO/EO/US      Werner Simon et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. <b>PCT/EP03/03285</b>	ATTORNEY'S DOCKET NUMBER <b>12874-00002-US</b>
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21. ☐ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):**  
 Neither international preliminary examination fee (37 CFR 1.482)  
 nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
 and International Search Report not prepared by the EPO or JPO ..... **\$1110.00**

International preliminary examination fee (37 CFR 1.482) not paid to  
 USPTO but International Search Report prepared by the EPO or JPO ..... **\$950.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
 but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$790.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
 but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$750.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
 and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of **\$130.00** for furnishing the oath or declaration later than 30 months  
 from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	-20 =		x	\$	
Independent claims	-3 =		x	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				+	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	0.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	0.00
<b>SUBTOTAL =</b>				\$	0.00
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	0.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	0.00
				Amount to be refunded:	\$
				Amount to be charged:	\$

**CALCULATIONS**    PTO USE ONLY

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 03-2775 in the amount of \$ 0.00  
to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 03-2775. A duplicate copy of this sheet is enclosed.

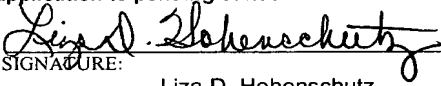
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive  
(37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

1007 North Orange Street  
P.O. Box 2207  
Wilmington, Delaware 19899

CUSTOMER NUMBER: 23416

  
SIGNATURE: \_\_\_\_\_  
Liza D. Hohenschutz

NAME \_\_\_\_\_

33,712

REGISTRATION NUMBER \_\_\_\_\_  
October 15, 2004

Application No. (if known): Not Yet Assigned  
Title: Fredericamycin Derivatives

Attorney Docket No.: 12874-00002-US

## Certificate of Express Mailing Under 37 CFR 1.10

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33,712  
Registration Number, if applicable

(302) 658-9141  
Telephone Number

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Communication  
Transmittal Letter to the United States Designated-Elected Office  
Copy of PCT/EP03/03285 (WO 03/087060 A1) (39 pages) and  
International Search Report (6 pages)  
Return Postcard

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Liza D. Hohenschutz

(Typed or printed name of  
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Liza D. Hohenschutz

(Signature of person  
mailing paper or fee)

Atty. Docket No.: 12874\*2

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

PCT/EP03/03285

28 March 2003

17 April 2002

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

FREDERICAMYCIN DERIVATIVES  
TITLE OF INVENTION

WERNER SIMON ET AL.  
APPLICANT(S)

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sirs:

**COMMUNICATION**

Applicants submit herewith a second copy of PCT/EP03/03285 and International Search Report.

Respectfully submitted,  
CONNOLLY BOVE LODGE & HUTZ LLP

Date: October 15, 2004

By: Liza D. Hohenschutz

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